

FISCAL NOTE

HB 2893 - SB 3558

March 4, 2006

SUMMARY OF BILL: Creates a new Class E felony offense for a person to knowingly own or train swine for the purpose of fighting, for amusement or gain. Increases the penalty for cock fighting from a Class A misdemeanor to a Class E felony. Increases the penalty for being a spectator from a Class C to a Class A misdemeanor.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$122,400 / Incarceration*

Increase Local Govt. Revenues – Not Significant

Increase Local Govt. Expenditures – Not Significant

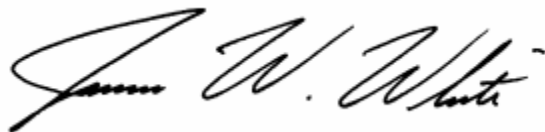
Assumptions:

- One Class E felony conviction every three years for swine fighting with 0.3 years time served (109.58 days). The annualized time served per conviction is 36.16 days (0.33 annual number of convictions x 109.58 days served). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The annualized cost per conviction is \$1,808.79 (0.33 x 109.58 x \$50.02).
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years.
- Twenty persons will be convicted of a Class E felony offense for cock fighting in the first year. Population growth of 1.09 percent per year will result in two additional offenders charged with a Class E felony in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based upon 22 offenders serving 0.3 years.
- Twenty-two offenders will serve 0.30 years (109.58 days). The cost per inmate is \$5,481.20 (\$50.02 x 109.58). The total operating cost for 22 offenders is \$120,586.40 (\$5,481.20 x 22).
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenses.

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director